

# **IMPLEMENTATION TEAM MEETING NOTES**

**July 8, 2004, 9:00 a.m.-4 p.m.**

## **NATIONAL MARINE FISHERIES SERVICE OFFICES PORTLAND, OREGON**

### ***I. Greetings, Introductions and Review of the Agenda.***

The July 8, 2004 meeting of the Implementation Team, held at the Corps' Reservoir Control Center in Portland, Oregon, was a conference call to discuss Montana's proposed Libby/Hungry Horse summer operations. The call was chaired by Jim Ruff of NMFS and facilitated by John Palensky. The following is a distillation (not a verbatim transcript) of items discussed at the meeting, together with actions taken on those items.

Palensky welcomed everyone to the meeting, led introductions and a review of the agenda.

### ***2. Montana Issue From TMT.***

At yesterday's Technical Management Team meeting, the following issue was elevated for Implementation Team resolution:

Shall the action agencies begin implementation of the Council's Mainstem Recommendations, as requested in Montana's SOR 2004 MT-2? Montana has proposed reducing lower river flows by approximately 4 Kcfs during the months of July and August, moving a portion of the Libby and Hungry Horse flow augmentation volumes designated by the BiOp for use during the summer season into September. Should this operation be implemented under the adaptive management provisions of the BiOp, and do the potential research and resident fish benefits balance the potential risks (and benefits) to salmon in the lower river? Are there alternative sources of water that could offset the proposed reduction in lower river flow, given 2004 environmental and flow conditions?

John Palensky asked Jim Litchfield to review the issue to be resolved; Litchfield noted that there was something of a procedural problem, in that at TMT, consensus is defined as a lack of objection. We had difficulty in deciding, at TMT, how to take this issue to the next step, Litchfield said. David Wills said TMT had discussed the Montana SOR; several participants expressed concerns about the SOR. The Corps indicated that they were prepared to implement the Montana SOR unless anyone objected. The Fish and Wildlife Service then objected, said Wills. It was a bit of an awkward procedure, but that's how we got here. Henriksen noted that the specific questions elevated for IT resolution were the result of a collaborative TMT discussion.

Litchfield went briefly through the issue to be resolved, as well as the contents of the Montana's SOR 2004 MT-2:

Implement the Northwest power Planning Council's Mainstem Recommendations for operation of Libby and Hungry Horse dams and evaluate the resulting physical and biological changes in water quality and the effects on the aquatic environment in Montana and in the Lower Columbia River from McNary to below Bonneville Dam. Because this water year falls into the lowest 20<sup>th</sup> percentile, the Council recommends drafting both Libby and Hungry Horse to an elevation that is 20 feet from full by the end of September using a flat weekly flow adjusted as actual inflows change. The following specific operations are recommended:

- Establish a stable flow objective for Libby Dam that is expected to draft the reservoir to elevation 2439 by the end of September.
- Based on the latest COE models this flow objective is approximately 10 Kcfs.
- Adjust Libby's weekly flow objectives as necessary so that Libby drafts to elevation 2439 by the end of September. It is preferred that weekly average outflows are held as flat as possible, or, if necessary, are reduced gradually from July through September.
- Establish a stable weekly average outflow objective at Hungry Horse dam that will result in drafting Hungry Horse to elevation 3545 by August 31. This elevation is the maximum allowable elevation necessary to permit scheduled maintenance to proceed in September. The expected outflow is approximately 4.4 Kcfs which will be adjusted on a weekly basis to achieve 3545 at the end of August. This operation is contrary to the long-term strategy recommended by the Council for Hungry Horse however, it is recommended this year to allow the planned maintenance.
- Draft the remaining 5 feet of storage from Hungry Horse in September. This is expected to provide approximately 2.3 Kcfs of stable weekly outflows with the reservoir ending September at elevation 3540.
- As with Libby, it is preferred that weekly average outflows are held flat or are gradually reduced from July through September and all changes in outflows will follow the ramp rates in the bull trout BiOp.
- Maintain flows out of Libby and Hungry Horse that are at least the minimum flows

for bull trout. Minimum bull trout flows below the projects are a higher priority than the recommended ending reservoirs at the end of September. The minimum bull trout flow during September is expected to be 6 Kcfs.

- The Corps and BPA will pursue concluding an agreement with Canada that will assure that the increased flow from Libby in September will result in increased inflows to Lake Roosevelt during September.
- Refill of Grand Coulee in September will be limited to elevation 1284, plus or minus one foot. This is consistent with past refill volumes and will assure that the increased flows in September out of Libby and Horse are passed downstream to the Lower Columbia.
- Continue to implement bull trout and other aquatic research to measure changes in fish survival and productivity.

Litchfield noted that the intent of this SOR is to strike a balance between river effects and reservoir effects; it is essentially a minor change to the currently-planned Libby and Hungry Horse operation. We were trying to provide good river conditions while mitigating reservoir impacts to the greatest extent possible, he said. Litchfield described the background for this request, which is founded on the recommendations in the Council's Mainstem Amendments. One concern is that the water released from the Montana projects make its way down to Grand Coulee, rather than being trapped in Kootenay Lake, he said; another concern is that Grand Coulee is typically refilling during the September period, which could be problematic in terms of passing the Libby and Hungry Horse September releases downstream.

In response to a question, John Roche said a flat outflow of 5.2 Kcfs would be needed to achieve elevation 3540 at Hungry Horse by August 31; if the August 31 elevation goes up to 3545, then a flat flow of 4.4 Kcfs would be required. Litchfield added that the intent of the Montana SOR is to avoid violating the bull trout minimum flows; those take precedence over any of the reservoir elevations specified in the SOR.

Litchfield noted that his understanding is that Canada is willing to sign off on an agreement that would shift some of the current Libby release, which is contributing to spill at Brilliant Dam, into a later period. In exchange for this reduction in forced spill, B.C. Hydro would provide an equivalent volume of water to Grand Coulee in September. It's something of a chicken-and-egg problem, he said, because BPA also needs to be willing to sign off on that operation, and is unlikely to do so unless the IT can agree that the Montana proposal should be implemented. He said Montana recognizes that such a pass-through agreement is one of the keys to the implementation of the Montana proposal.

With respect to the problem of Grand Coulee refill during September, Litchfield noted that, from a tribal perspective, Grand Coulee must refill to at least elevation 1283 by the end of September; Montana chose elevation 1284, plus or minus one foot, as an average refill target for September 30. After refill to elevation 1284, any additional flow would be passed through to the lower river, said Litchfield; the goal of this SOR is to

ensure that Grand Coulee would be no better or worse off than it would be if the SOR was not implemented. Rick Pendergrass said BPA has no problem with the Grand Coulee operation proposed in the Montana SOR.

Again, we're trying to improve the operational strategy for Libby and Hungry Horse, said Litchfield; we believe this operation will benefit resident fish without significantly impacting anadromous stocks downstream. Is the planned research targeted at the riverine or the reservoir environment, or both? Ruff asked. Also, have the proposed studies been funded? The studies target both the river and the reservoir, Litchfield replied; they have been recommended for funding by the ISRP, and have been funded at one level. Montana has proposed that these ongoing studies be expanded, he said, but my understanding is that that expansion has not yet been funded. John Heinz noted that the Council is willing to consider funding Montana's proposed study package as long as the Implementation Team recommends that the Montana SOR be implemented.

The group discussed the impact of Montana's proposed operation at Grand Coulee. The discussion then moved on to the specifics of Montana's proposed monitoring plan; Litchfield noted that there is ongoing research at Libby and Hungry Horse, but reiterated that Council approval of Montana's expanded monitoring program is contingent on IT endorsement of the Montana SOR. Bob Heinith noted that the research funding situation in the basin is extremely competitive; Palensky agreed that there is no funding certainty under the Fish & Wildlife Program, given the fiscal situation this year.

Paul Wagner then provided some additional NOAA Fisheries Science Center analysis of the impacts of Montana's proposed operation on migrating fall chinook in the Lower Columbia. He noted that the current (June 2) draft of the Effects (of the FCRPS and transportation program on salmon and steelhead) Technical Memo, due out in final form at the end of July, includes a series of figures showing the effects of flow, temperature and turbidity on fall chinook survival. This also includes a travel time vs. flow graph, Wagner said; what it shows is a gradually sloping line indicating a relationship between increasing flow and decreasing travel time. The bottom line is that there is a well-documented relationship between flow and survival for fall chinook in the lower river, he said.

There may also be other factors at work, Litchfield observed. True, Wagner replied – water temperature and turbidity also play a role. And will the Science Center be attempting to tease out the interrelationships between flow, temperature and turbidity in fall chinook survival? Litchfield asked. No, Wagner replied. Litchfield noted that, to him, what these data show is considerable variability between the survival of groups migrating under similar flow conditions. Wagner replied that reducing flow during July and August could incrementally increase temperatures in the lower river, due to slower travel time.

Wagner moved on to available passage timing data for listed Snake River fish to McNary; Palensky noted that this document is available via hotlink from today's agenda on the TMT homepage. According to Billy Connor's data, an average of 80% of the migrating wild Snake River subyearling chinook arrive at McNary during July and August, compared to an average of 1.6% that arrive at McNary during the month of September (1998-2003). The point is that these are fish that would be leaving McNary and moving downstream during the period in question, said Ruff. Litchfield replied that a percentage of these fish overwinter in the reach below McNary, and would benefit from the increased September flows that would result from the Montana proposal. Wagner replied that, in Billy Connor's opinion, most of the Snake River subyearlings that choose to overwinter do so in Lower Granite pool.

Wagner noted that the run timing appears to be early in 2004; he added that the projected summer seasonal average flow at McNary in 2004 is already going to be well below the 200 Kcfs Biological Opinion flow target, even without the further flow reduction Montana is proposing. Litchfield noted that the basic policy issue is that, while lower river flow would be slightly reduced during July and August, the Montana proposal would result in increased flow during September, which would benefit the important tail of the run.

Ron Boyce said that, while Oregon appreciates what Montana is trying to do in terms of protecting its own biological resources, Oregon is concerned about the impacts of reduced lower river flow during July and August on salmon. If there is a reduction in mitigation protection for ESA-listed fish in the lower river, he said, Oregon would like to see some additional flow provided from another source to ensure no net loss of lower river flow during July and August. We want to accommodate all needs in the basin, he said, but are not willing to implement the Montana SOR unless makeup water is identified. And is that the State of Oregon's position, or ODFW's position? Hines asked. It is the State of Oregon's position, Boyce replied.

What is the status of a potential water swap with B.C. Hydro's reservoirs? Ruff asked. I'd like to know if we could find a flow-neutral approach that would keep the water in the Montana reservoirs without detrimentally impacting flow in the lower river, he said. Hines asked what data NOAA Fisheries has on which to base an evaluation of the biological effects of Montana's proposed operation, in terms of establishing a mitigation package, such as the one Oregon appears to be supporting. We don't have anything that estimates the biological impacts of these changes, said Litchfield.

Wills noted that the Fish and Wildlife Service's concerns had to do with the fact that what Montana is proposing is a multi-year, basinwide study; such a change would need regionwide vetting, said Wills. With all due respect to Jim, he said, all we've seen at TMT is the SOR – we haven't had a chance to thoroughly evaluate the monitoring and evaluation program that would accompany this change in operations. We're also concerned that this reduction would violate the current NOAA Fisheries BiOp, and would counteract the package of offsets put in place for the summer spill reduction

program, said Wills.

What about the prospects for a Libby/Arrow or Libby/Duncan swap for 2004? Ruff asked. Hydrologically, that doesn't appear to be in the offing for 2004, Henriksen replied. That would be my sense as well, said Pendergrass.

Palensky noted that Idaho and Washington are not on today's call, and so cannot express an opinion on the Montana SOR. Pendergrass said BPA has no objection to the SOR as written. Roche said that, as long as there is IT consensus to do so, Reclamation is prepared to implement the SOR. Eric Braun said the Corps is also prepared to implement the Montana SOR, but needs to see where the IT stands before taking a final position. Heinith said that, from CRITFC's perspective, there are still a lot of unanswered questions about the Montana proposal; the tribes are especially concerned about the 2004 outmigration, because there are very large numbers of fish coming out of both the Hanford Reach and the Snake River, under very low flow and reduced spill conditions. Under these circumstances, said Heinith, CRITFC does not support the Montana SOR. And what is CRITFC's position on shifting 15 feet of Dworshak draft into September? Litchfield asked. CRITFC supports that because of its benefits for Clearwater River fish and for returning adults in September, Heinith replied. The other major benefit is the temperature control function of the Dworshak releases, he added.

Litchfield observed that the consensus Dworshak operation in 2004 will result in slightly reduced flows in the Lower Columbia, very similar in magnitude and contemporaneous in timing, to what Montana is proposing in this SOR. It's not the same at all, because the primary intent of the Dworshak operation is to benefit fish in the Clearwater and Snake Rivers by providing the most efficient cooling effect at Lower Granite, Heinith replied. I understand the rationale, said Litchfield, but the net flow impacts in the Lower Columbia are similar as to what Montana is proposing. The 2004 Dworshak operation is analogous to what Montana is proposing, in terms of a 2004 Libby and Hungry Horse operation, Litchfield said.

Palensky observed that there are three potential courses of action: consensus, objection, or a compromise, such as finding an alternative source of water. It's obvious that we're not going to reach consensus at today's meeting, said Palensky – Oregon, the Fish and Wildlife Service and CRITFC object, Idaho and Washington are absent, Montana supports the SOR, BPA has no objection to its implementation, and the Corps and Reclamation are willing to implement it if the IT supports the SOR.

Ruff said that it is clear that there is no IT consensus on the Montana SOR; this is a regional policy question, and one that needs to go to the executives. It cannot be resolved at this table, he said; I would therefore urge everyone at IT to contact their governor's offices and their agency and tribal policy people, in an effort to find the earliest possible date at which the regional executives could meet to address this issue. Litchfield said that, due to the time-critical nature of this proposal, Montana requests

that a conference call take place tomorrow. Ruff said he would check with Bob Lohn to find his earliest availability for such a call, and that Libby and Hungry Horse should stay on their current operational path in the interim. Litchfield reiterated the urgency of this decision, noting that Montana will not be happy if this issue is simply allowed to expire. Palensky said he will work with Henriksen to facilitate the requested executive committee conference call.

With that, today's meeting was adjourned. Meeting summary prepared by Jeff Kuechle.